

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KAYE SCHOLER LLP,

Plaintiff,

v.

CNA HOLDINGS, INC. and CELANESE  
AMERICAS CORPORATION,

Defendants.

CNA HOLDINGS, INC. and CELANESE  
AMERICAS CORPORATION,

Counterclaim-Plaintiffs,

v.

KAYE SCHOLER LLP, ROBERT B.  
BERNSTEIN, and MICHAEL D. BLECHMAN,

Counterclaim-Defendants.

No.: 08 Civ. 5547 (NRB)  
ECF CASE

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**AMENDED RULE 16 SCHEDULING ORDER**

IT IS ORDERED that the February 9, 2009 Rule 16 Scheduling Order is hereby amended as follows:

1. **Discovery.** Fact discovery commenced on January 26, 2009 and will close on June 25, 2010.
2. **Expert Witnesses.**
  - (a) The parties will disclose the identities of their testifying experts and the proposed topics upon which the parties' experts are expected to testify on June 29, 2010. The parties are not required to disclose the identities of their rebuttal experts at this time.

- (b) Expert disclosures are due from the party with the burden of proof on an issue for which an expert is offered on July 26, 2010.
- (c) Rebuttal expert disclosures are due on August 25, 2010.
- (d) Expert depositions shall commence on or after September 7, 2010, unless otherwise agreed in writing by the parties or ordered by the Court.
- (e) Expert discovery shall close on November 8, 2010.

3. **Non-Binding Mediation.** The parties will designate a mediator or, if they are unable to agree, the Court will designate a mediator for the purpose of exploring the possibility of a settlement by February 23, 2010. Mediation shall be completed no later than April 23, 2010.

4. **Joinder of Other Parties.** All motions to join other parties shall be filed on or before August 9, 2010.

5. **Amendment of Pleadings.** All motions to amend the pleadings shall be filed on or before August 9, 2010.

6. **Case Dispositive Motions.** Any case dispositive motions shall be served and filed on November 23, 2010. Opposition papers shall be served and filed on December 23, 2010, and reply papers shall be served and filed on January 13, 2011.

SO ORDERED:

Dated: November 1, 2009



Naomi Reice Buchwald  
Naomi Reice Buchwald  
United States District Court Judge